

Docket No. 30014343-1 (1509-179)

ALLAN LOWE

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PATENT

**THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

<b>In re Application of</b>	
Inventors: PRADHAN, SALIL et al.	: Confirmation No. 7305
U.S. Patent Application No. 09/843,145	: Group Art Unit: 2614
Filed: April 27, 2001	: Examiner: Md S. ELAHEE
<b>For: BROKERING OF INFORMATION ACQUISITION BY DEVICES IN A WIRELESS NETWORK</b>	

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Attn: BOARD OF PATENT APPEALS AND INTERFERENCES

**SUPPLEMENTAL BRIEF ON APPEAL**

Further to the June 26, 2009, Notification of Non-Compliant Appeal Brief, and the Notice of Appeal filed October 28, 2008, in connection with the above-identified application on appeal, herewith is Section V of Appellant's Supplemental Brief on Appeal. The \$540 for the statutory fee was paid at the time the original Appeal Brief was filed.

To the extent necessary, Appellant hereby requests any required extension of time under 37 C.F.R. §1.136 and hereby authorizes the Commissioner to charge any required fees not otherwise provided for to Deposit Account No. 08-2025.

**CERTIFICATION OF FACSIMILE TRANSMITTAL**

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO THE U.S. PATENT AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW

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July 27, 2009

DATE

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FACSIMILE NUMBER

1

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#### V. Summary of Claimed Subject Matter

Independent claim 1 defines a method of advertising (page 1, first paragraph) comprising: broadcasting an advertisement 34 via a short range link from an advertiser telecommunications device 10 (figures 1 and 2; page 7, second paragraph); receiving the broadcast advertisement on a consumer telecommunications device 12 (figures 1 and 2; page 7, third paragraph); replying to the advertisement by sending a reply message 46 including message data from the consumer device 12 to an advertisement broker device 48 (figure 2; page 9, lines 3 and 4); changing the message data of the reply message 46 at the broker device 48 to derive a changed reply message that includes at least a substantial portion of the reply message (figure 2; page 9, lines 5-9); and communicating the changed reply message from the broker device 48 to the advertiser device 10 (page 9, lines 5-9).

Independent claim 20 relates to a server adapted to act as an advertisement broker device 48 (figure 2; page 9, line 4; page 23, line 8). The server includes an arrangement adapted to (a) receive one of (i) an advertisement message (page 23, line 9; page 9, third paragraph) or (ii) a reply message 46 to an advertisement (page 9, line 4; page 23, lines 9 and 10), and (b) forward the received message to a remote telecommunications device 10 (page 9, line 5; page 23, lines 10 and 11). The arrangement modifies the received message so as to ensure, at least initially, that no telecommunications address of an advertiser (page 9, lines 5-7) or replier to an advertisement is passed with the message that is forwarded by the server (page 23, lines 12-14).

Independent claim 22 relates to a network (figures 1 and 2; page 1, first paragraph) comprising: an advertiser device comprising a first telecommunications device 10 having both a short range transmitter and receiver unit 14a, and a long range telecommunications transmitter and receiver 16a, a memory 19a, and a control processor 18a (page 6, lines 15-19). The memory 19a includes an advertisement (page 7, line 10). A consumer device of the network includes a

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second telecommunications device 12, having: (a) a short range, piconet transmitter and receiver unit 14b, (b) a long range telecommunications transmitter and receiver unit 16b, (c) a memory 19b, and (d) a control processor 18b (page 6, lines 15-19). The memory 19b or the processor 18b of the consumer device 12 has an advertisement receiver which, in use, is capable of receiving and storing an advertisement (page 7, third paragraph). The network also includes an advertisement broker device 48 contactable via wireless telecommunications with both the advertiser and consumer devices 10 and 12 (figure 2; page 9, first paragraph). The broker device 48 selectively (a) passes advertiser details to the consumer device in response to triggering, (b) passes consumer details to the advertiser device in response to triggering, and (c) blocks passage of at least one of (i) advertiser details to the consumer device and (ii) consumer details to the advertiser device (page 2, lines 14-18; page 23, lines 12-14; page 24, lines 7-10).

Independent claim 40 is related to a network (figures 1 and 2; page 1, first paragraph) comprising: an advertiser device comprising a first telecommunications device 10 having both a short range transmitter and receiver unit 14a, and a long range telecommunications transmitter and receiver 16a, a memory 19a, and a control processor 18a. The memory includes an advertisement (page 7, line 10). The network of claim 40 also includes a consumer device comprising a second telecommunications device 12, having (a) a short range, piconet transmitter and receiver unit 14b, (b) a long range telecommunications transmitter and receiver unit 16b, (c) a memory 19b, and (d) a control processor 18b (page 6, lines 15-19). The memory 19b or the processor 18b of the consumer device has an advertisement receiver which, in use, is capable of receiving and storing an advertisement (page 7, third paragraph). The network of claim 40 also has an advertisement broker device 48 contactable via wireless telecommunications with both the advertiser and consumer devices 10 and 12 (figure 2; page 9, first paragraph). The broker device 48 selectively (a) passes consumer details to the advertiser device 10 in response to triggering and (b) blocks passage of at least one of (i) advertiser details to the consumer device

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12 and (ii) consumer details to the advertiser device 10 (page 2, lines 14-18; page 23, lines 12-14; page 24, lines 7-10). Claim 22 thus includes all the limitations of claim 40, but claim 40 does not include the requirement of claim 22 for the broker device to pass consumer details to the advertiser device in response to triggering.

Claim 4 depends on claim 1 and indicates advertisement 34 is broadcast from a man portable advertiser device 10 (page 6, first sentence of paragraph beginning in middle of page). Claim 5 depends on claim 4 and indicates the advertiser device 10 is a hand-holdable portable device (page 6, first sentence of paragraph beginning in middle of page). Claim 7 depends on claim 1 and states advertiser device 10 does not include its own telecommunications address in its broadcast advertisement (page 2, third full paragraph, penultimate sentence). Claim 14 depends on claim 1 and requires the use of a mobile telephone, personal digital assistant, or other small portable electronic devices for both advertiser device 10 and consumer device 12, both having both piconet short range and long range telecommunication capabilities (page 6, first sentence of paragraph beginning in middle of page; page 7, first full paragraph).

Claim 21 says the arrangement of the server of claim 20 (1) stores the direct telecommunications address of the provider of the message (e.g., device 10 or 12), (2) recalls that address and forwards it to the remote telecommunications device (e.g., device 12 or 10) if a release signal effectively authorizing forwarding of the stored address has been received by the server (page 9, third paragraph).

Claim 29 depends on claim 28 and requires the original text of a reply message to be modified by removing an identifier of consumer 12 (page 9, lines 3-7).

Claim 32 indicates that in the server of claim 20 the advertisement message 34 and/or the reply message 46 includes a telecommunications address and the server removes the telecommunication address from the advertisement data and/or the reply message to ensure that no telecommunication address of the advertiser 10 or replier 12 is passed with the

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message transmitted by the server (page 9, lines 3-7; page 9, third full paragraph).

Claim 33 depends on claim 1 and indicates additional advertisement information 42 is transmitted from advertiser device 10 to consumer device 12 in response to a request for additional information by the consumer device to the advertisement (first two sentences of paragraph bridging pages 7 and 8).

Claims 37 and 39, respectively dependent on claims 22 and 1, require broker device 48, during passing of details of advertiser 10 to consumer device 12, to block passage of the address of the advertiser device to the consumer device (page 9, lines 3-7).

Claims 42 and 43, respectively dependent on claims 40 and 22, indicate advertisement broker device 48 blocks passage of both (i) advertiser 10 details to consumer device 12 and (ii) consumer 12 details to advertiser device 10 (page 9, third paragraph).